

The Planning Board of the Town of Cicero held a meeting on **Wednesday, November 6, 2013** at **7:00 p.m.** in the Cicero Town Hall at 8236 Brewerton Road, Cicero, New York 13039.

Agenda:

- Pledge of Allegiance
- Notes from the Chairman
- Approval of the Planning Board meeting minutes from October 21, 2013 **(approved)**
- Minor Subdivision, Preliminary & Final Plan, Schedule Public Hearing, Webb Subdivision, 7473 Bull Street, 2 Lots **(Public Hearing Scheduled for 11/18/13)**
- Site Plan/Sketch Review, Empire Tractor, 5788 Crabtree Lane, Proposed Sales & Service **(to return)**
- Site Plan, Riccelli Enterprises, LLC, Northern Blvd, Tax Map #055.-02-19.3 & 25.0 & 26.1, Proposed Ready Mix Facility **(approved)**

Board Members Present: Bob Smith (Chairman), Joe Ruscitto, Chuck Abbey, Pat Honors and Mark Marzullo

Others Present: Neil Germain (Esquire, Germain & Germain), Mark Parrish (P.E., O'Brien & Gere), Steve Procopio (Code Enforcement Officer), Jessica Zambrano (Town Board Member) and Tonia Mosley (Planning Board Clerk)

Chairman Smith opened the Town of Cicero Planning Board meeting. We are meeting on a Wednesday night because the room was in use Monday night for the election. We will return to Monday nights at our next meeting on November 18th, to not interfere with the Thanksgiving Holiday.

Please note the locations of the emergency exits, two in the rear of the room and one in the front. If for any reason you can not hear the proceedings, please bring it to our attention. If you do have a cell phone please silence it.

Mr. Abbey led the Pledge of Allegiance.

NOTES FROM THE CHAIRMAN

Mr. Smith noted that within the next 60 days the Town Board will be looking at fee structures

most notably what is going to happen with the cut and fill permit. We do have a process. We do have a law. We have applications but they don't have an established fee yet. If you have any suggestions on anything bring them to my attention, to the Code Office or to the Supervisor. The Supervisor is looking to have that finished up in the next 6-7 weeks.

There are some renovations going on within the Code Office. If any of the members want to see it, it is looking pretty good.

APPROVAL OF THE MINUTES FROM THE OCTOBER 21, 2013 MEETING

Mr. Abbey made a motion to approve the minutes from the October 21, 2013 Planning Board meeting. **Mr. Ruscitto seconded the motion** and the Chairman called for a vote.

In favor: 5 *Opposed:* 0 *Abstained:* 0 **approved unanimously**

**MINOR SUBDIVISION, PRELIMINARY AND FINAL PLAN, SCHEDULE PUBLIC HEARING
WEBB SUBDIVISION, 7473 BULL STREET, 2 LOTS, HISCOCK & BARCLAY**

Chairman Smith: We need to schedule a public hearing for this. This is the Webb Subdivision. Mr. Germain could you structure a motion to set a public hearing please?

Mr. Germain: You would **move** for the adoption of a resolution calling for a public hearing in the matter of the application known as the Webb Subdivision, 7473 Bull Street, 2 Lots. This public hearing shall commence at 7:00 p.m. at the regular scheduled meeting of the Planning Board on November 18, 2013. **Mr. Smith made a motion** as stated by Mr. Germain above. **Mr. Abbey seconded the motion.** The Chairman called a vote.

In favor: 5 *Opposed:* 0 *Abstained:* 0 **approved unanimously**

**SITE PLAN/SKETCH REVIEW, EMPIRE TRACTOR
5788 CRABTREE LANE, PROPOSED SALES & SERVICE
MARTY MEROLA**

Representatives: Marty Merola, Applicant
Timothy Call, President and Co-Owner, Empire Tractor

Chairman Smith noted this was a sketch plan review and that no action was planned. This location was formerly Stoches' Auto Parts. You have done a nice job of cleaning that up, thank you.

Mr. Merola: What we have is Syracuse Kubota.. We would like to lease the building. It is 2400 square feet. They are leasing the whole parcel, which is one acre. They want to put a stockade fence in the back to screen off miscellaneous small equipment. We have already blocked in a couple of windows and put some new windows in. It has a new roof, new heat and new plumbing. The stone area will remain stone. We will add a new landscape island to the west closest to the County lot to create a better defined entrance. Display would be behind that island, along the existing island and then along the side as you can see. We will have a light on the back and on the side of the building. It is very simple.

Mr. Smith: Empire has several locations, right? Currently they are open in the city of Syracuse.

Mr. Merola: Right, on Erie Blvd.

Mr. Smith: And so they are moving to Cicero. Mr. Parrish did you have any questions for Mr. Merola? I realize that you are just getting the site plan.

Mr. Parrish: I have looked at it and have a number of comments on the plan, but I don't think that it is really something that we need to go over tonight. I think that there are things that need to be added or addressed on the plan.

Mr. Merola: You will send me a comment letter?

Mr. Parrish: Yes

Mr. Smith: Mr. Procopio, I know you and I visited the site. Do you have any questions for the sketch plan from a Codes perspective?

Mr. Procopio: No

Mr. Smith: Anything from legal?

Mr. Germain: Nothing. It is pretty straight forward.

Mr. Smith asked for comments from the Board.

Mr. Ruscitto: It looks good. I almost did not recognize it since it has been cleaned up.

Mr. Abbey: I look forward to seeing the final plan. It is nice to see some huge improvements on Stoches' old place.

Mr. Marzullo: Do you know what the hours of operation will be?

Mr. Call: Probably eight until five Monday through Friday and eight until noon or two or three on Saturday.

Mr. Marzullo: How many employees do you expect to have at this location?

Mr. Call: Probably four, maybe five with part time.

Mr. Marzullo: Any idea roughly about how many daily trips by customers that you would expect?

Mr. Call: It is pretty seasonal but, probably most days if we get 20 to 30 people that would be a lot.

Mr. Marzullo: How is the equipment that is there brought in, by tractor trailer?

Mr. Call: We mostly sell Kubota tractors which are 100 horsepower and below. Utility vehicles, zero turn mowers that are new are brought in by semi trucks. For customers it is just pick up trucks and trailers mostly.

Mr. Marzullo: Thank you, I have nothing further.

Mr. Honors: Pick up and package similar to the Skidoos across the street at North Syracuse Lawn and Snow—they come boxed, pallet or all crated up, correct?

Mr. Call: Some come in roll on or roll off. They are already set up. Some we have to set up. Most of what we do is have to put on a loader, a mower or attachments like that.

Mr. Honors: What is the volume of rubbish and stuff like that?

Mr. Call: Most of them come in metal crates that are returnable.

Mr. Honors: I have nothing further at this time.

Mr. Smith: All signage has been submitted?

Mr. Merola: Right

Mr. Smith: And we have photos of the building. They aren't going to change the elevations so that we should be able to use those if there should be an approval as part of the resolution?

Mr. Germain: Correct

Mr. Smith: If there are no other questions and you don't have any for us, thank you very much. Do you think that this will be ready for the 18th?

Mr. Merola: I hope so.

Mr. Parrish: I guess that depends on them being able to provide a plan that addresses the comments.

Mr. Smith: And your comments will come out?

Mr. Parrish: I will get those out tomorrow.

Mr. Smith: That should give us enough time. Why don't we plan on putting this on the November 18th agenda because we won't have another meeting until December?

Mr. Merola: That would be great. Thank you everyone.

**SITE PLAN, RICCELLI ENTERPRISES, LLC
NORTHERN BLVD, TAX MAP # 055.-02-19.3 & 25.0 & 26.1
PROPOSED READY MIX FACILITY
IANUZI & ROMANS**

Representative: Hal Romans, Surveyor & Planner, Ianuzi & Romans
Rick Riccelli, Applicant

Chairman Smith: In the interest of time, why don't we start with trying to address Mr. Parrish's concerns?

Mr. Romans: Good evening. I have Mr. Parrish's review letter and I will try to go through everything that is in his review letter as I'm going through the plan. Sheet 1 did not change from the original submittal. It is the original topographic and boundary survey of the site. It is three tax parcels. The review letter notes the need for an administrative subdivision to combine the three parcels. We are willing to do that.

Mr. Smith: That can be done in the Code Office, correct?

Mr. Germain: Correct

Mr. Romans: Sheet 2 is a blow up of the area of development talked about in previous meetings and addresses Mr. Parrish's concerns. One of which was the error we had in our table of zoning requirements. We erroneously had 100' depth required. It is 200' and we changed that. We have well over 3,000' of depth on the lot so that is not an issue.

We have a note on the plan about the height of the silo which I modified. I modified my note to say building height 60'. If the actual silo height is greater than 60', the applicant must seek a variance from the Town of Cicero Zoning Board of Appeals and must come back to the Planning Board for site plan review. We are seeking the required height of 60 feet or less for the silos. The plants themselves have always been placed in an area with a side yard setback so that if an 80' silo ended up there, you would not have any problems with it falling over and going across the property line.

These are portable ready mix plants that get placed on a site. We picture one plant will come on line first and hopefully as business picks up, the second plant would come on line. The silo heights can vary. We are committing to 60' or less so that we don't have to go for a variance.

Sheet 2 shows stop signs for the exit only. We also had C&S revise their shading to differentiate what is going to be asphalt, heavy duty gravel and light duty gravel. On my plan the asphalt is the apron coming in the dark color. The heavy duty gravel is the roadway that is out lined here. The light duty gravel is the area between the roadways where the plant and the stock piles and the proposed storage buildings sit. So for a distance of about 105' in from the edge of the paved shoulder from Northern Blvd. you have asphalt. Then you have heavy duty gravel, then light duty gravel.

Mr. Parrish: Are they also putting in light duty gravel...

Mr. Romans: Back here?

Mr. Parrish: Yes

Mr. Romans: Under those stockpiles there would be.

Mr. Parrish: I think that they do show some gravel through those areas also.

Mr. Romans: Yes. I have the wall packs clearly shown for the proposed storage buildings, the scale house and over at the plant area. Sheet 3 has a note about lighting and also has details of the proposed signs. There are two signs at the proposed entrances. They are monument type signs.

Mr. Honors: The signs are the same as their facility on Taft?

Mr. Romans: That is correct; except they are probably going to say Riccelli Ready Mix with the address. It will have a stone base, an internally lit sign. The wall packs are full cut-offs with the detail sheets that we gave you. Each storage building has two on the front and two on the back. The scale house has one on each end and one on each side. The plants have three shown

per plant. Because these are mobile and can be moved off site or to a construction site; they do come with floodlights for night time work. This operation is primarily a daylight operation. The only time that Riccelli may need to work at night would be if he got a state contract which might require night work and the night supply of materials.

95% of the time it is just going to be day time work so we don't show any additional lighting along the roadways or anything. If needed I added a note which says no light poles or stands are proposed on site due to the operation typically being done during daylight hours. On the rare occasion that a night operation is required by contract, portable lighting will be utilized and the Town Code Office will be notified by the owner or the operator. It would be a rare occasion that this happens but with the note on the plan I have told Mr. Riccelli that he would have to tell the Code Office for X number of days these are the portable lights that we are using.

The Chairman asked Mr. Germain for his thoughts on that.

Mr. Germain: My only thought on that is if this is such a rare occasion that is a pretty loose definition and I am not anticipating that they would need it often. But if this says that they will give notice that they are going to put the lights out, okay you have notice that they are going up. It does not really give you an opportunity to control the lighting or say anything about the lighting. They would just give you notice and then they are going to do it.

Mr. Smith: Should it be based on approval by the Code Office on those occasions?

Mr. Germain: That would up to you whether you want something in the plan that would indicate they would have to have the approval of the Code Office. I will point out that may be burdensome on the Code Office because now you are talking anytime that the applicant wants to install some lighting, the applicant would have to present some kind of plan for it, or tell the code officer what they are going to do and then install it or put it up.

Mr. Smith: The reality is if Route 81 does get moved hopefully they are going to need lots of concrete. Conceivably, this plant could run 24 hours a day.

Mr. Marzullo: I think that plan should be approved with this. Whenever you see those temporary lights they are blinding. When you are driving down the road you can't see.

Mr. Romans: There are different levels of that. When they are doing the thruway or 81, they are trying to light the site. You are right. It is on the road affecting traffic. But, this Northern Blvd. site is set back. The trees and buffering that we are going to have up will help.

Mr. Marzullo: That's great. I don't have a problem with that. But I do think that you should put that plan together, what the temporary lighting would be, and get it to Mr. Parrish so that he can review it.

Mr. Smith: We have Industrial on both sides. My concern is that we would be in a Driver's Village situation where the light pollution impacted everyone within about a mile and a half. We don't have a definition on how bright you are going to want the lights. It would be up to the applicant, but you could come back and do a modification. Right now that lighting would not be allowed. If it looks like you are going to need it you can come back and ask us to review it again and make a modification. Or, you could define the lighting that you are talking about.

Mr. Romans: I think the smart way to do it would be to come back with a modification because, we are betting on if he gets a contract for something like that. Yes we would like to see that he gets it but, the reality is 81 has been talked about for how many years and nothing has progressed yet.

Mr. Riccelli: Well, I don't want to prolong the process on potential night operations. I'm not sure of the procedures here but we would like to get approval and then come back after with a lighting plan if we need a lighting plan.

Mr. Smith: We are meeting again on the 18th. Could you put a lighting plan together for night operations before the 18th?

Mr. Riccelli: We have not even identified the plant, the height and everything, so it is hard to tell what kind of lights we are going to need until the plant is identified. We won't have that identified prior to approval.

Mr. Smith: The hard part for us is we are going to be giving you approval and we have to have something to approve. Mr. Germain do you have any suggestions?

Mr. Marzullo: It sounds like what he is saying is the approval tonight would not include night time lights.

Mr. Germain: The problem is the note on the plan that says we can put the lights in on those rare occasions if we just give notice to the code officer. You would be approving the placement of temporary lighting because that is what the plan says. You could remove that and as a condition of approval say that there will be no temporary lighting at the site.

Mr. Honors: For night time hours without an amended...

Mr. Germain: Without the placement of a plan. If it is not on the plan you are not being told anything about temporary lighting.

Mr. Romans: So if we make the approval subject to taking out the note that says no light poles or standards---the second note under the light?

Mr. Honors: In the interests of moving forward for the applicant.

Mr. Germain: All you would have to do is condition it on there being no temporary lighting on the site.

Mr. Smith: Here is the risk to you. Honestly, if the Code Office starts getting complaints about light pollution, you will be held to what the site plan is approved for lighting; unless you come in for a modification. That tells you something there. But, we can't have a notation on the site plan that says whatever you call temporary lighting. It is just not good policy for the community.

Mr. Abbey: What do you anticipate for lighting, mostly on the silos?

Mr. Romans: We show three wall packs on each silo. I have looked at the plant pictures and I do see where they have like a spot light that usually heads toward the bins that you have over here, to light that pathway. Every picture of a plant that I have seen has that. If you were having a night time operation, you may put a portable light at the intersection.

For a night time operation you may put a portable light at the intersection here and the intersection here and key points like that. I show lighting on the scale house. I show lighting around here. You would probably put lights at intersections and key points like that.

Mr. Abbey: Mostly at ground level basically.

Mr. Romans: Yes. I picture something similar to what you would see on Route 81 or the Thruway when they are under construction, but not as high and not as bright.

Chairman Smith: Is it safe to say that the applicant agrees to remove the wording about temporary lighting and we would approve lighting as presented?

Mr. Riccelli: Yes

Chairman Smith: That should take care of it?

Mr. Germain: Yes. Should the Board decide to go to motion, that would be on it.

Mr. Romans: The second sheet shows pictures of the wall packs. I have also provided a picture of a typical storage building that Riccelli has at its existing facility. It has the bay doors across the front. Sometimes they put them in the back so that they can pull through. One of the storage buildings would be for mixer truck storage. They have to be stored inside during the winter. We have also provided a picture of what the State and the Town uses for standard salt storage. We talked about one building that fits the footprint of that sort holding the sand/salt mixture for de-icing operations on site and at construction sites. It looks exactly like the building the Town of Cicero has.

Mr. Smith: You can take those down and move them, just like the plants. I read the article.

Mr. Romans: Yes like yours, the base is usually concrete. It is open faced. I expect the southern face to be the open face. The top is like a heavy canvas that is very easy to repair or replace---as compared to the old domes and barns that were used in the past.

I have also provided a typical picture of a scale house. They look like a trailer and come in various lengths. We would have one that is up to 80' long. It would house the bathroom for the 5-6 on site workers.

I discussed the holding tank with Jeff Till. The Onondaga County Health Department leaves it up to the Town to decide whether it is appropriate for us to have a holding tank. So we will have a holding tank or a conventional septic system. A holding tank would still get approved by the Health Department. We propose using a holding tank because we are asking for site plan approval for a ready mix facility. 15 or 20 years down the road; it may come back in for site plan approval for something totally different.

Mr. Smith: We did some research on holding tanks and I spoke with the Supervisor today. Town ordinance states that the holding tank has to be approved by the Town Board and that the applicant has to file a \$1,000 deposit to be held in escrow against maintenance, etc. When it was anticipated that this kind of thing would happen, it was well defined in the ordinance. If there was an approval it would be conditioned on the Town Board's acceptance. The Supervisor is willing to put that on their agenda. The deposit would sit in escrow until you discontinue the use of the tank and/or the Town spends the deposit for maintenance.

Mr. Romans: We have done perk tests at the site and could do a conventional septic system. But, we have done all of our improvements totally outside of the wetlands and the adjacent areas for the wetland. A septic system would take up a substantial portion of the property.

Sheet 4 was done by C&S and shows the utility plan. It shows that public water would have to be brought north from Eastman Road, about 1000'. We would be responsible for bringing water up to here and along our northern property line. We would need to bring water to the scale house. The laterals here and here go to wash out areas for the cement trucks. Typically that is a pit with a poly-liner. Whatever residual concrete left in the truck after it is emptied hardens up. Then you can break it up and use it for fill, etc and take it off site. We show four of those sites. The plants themselves would have to have a lateral. The storm water sewer proposed by C&S would go into the storm water facility back here.

Mr. Smith: Would the site be served by public water or are we still discussing wells?

Mr. Romans: We show the ability to do public water and we are exploring that. The problem is the cost of bring that 1,000' north at about \$45 per foot. Mr. Riccelli has investigated other plants. A lot of other plants, even though they have public water, utilize their own wells. So that is an option. If that were to happen, instead of having the water line coming up from the south, we would locate where ever we could two or three wells along this northern property line. It would have the same distribution system.

Mr. Riccelli has to explore the cost differential between having wells versus bringing water up. Obviously, there is an advantage for the Town to have public water brought up there. The problem is one person is being burdened with that cost.

Mr. Abbey: What about electricity or gas?

Mr. Romans: C&S has talked to National Grid. They need an address. Now that we know it will be one parcel, the Town has to request the address from 911. NIMO has said they have no problem serving the site. Their lead time is exceptionally long.

We would bring gas and electric north from Eastman Road. Most plants though out the New York State area are on public electric and gas. Gas is usually cheaper then propane. Some are on generators and propane.

Mr. Honors: Would it be an underground build?

Mr. Romans: Yes. Sheet 5 is the grading plan. It shows the berm that we talked about along Northern Blvd. between the two entrance tracks. We are leaving a strip of vegetation from that berm out towards the street line or property line. We show a cross section detail of that berm as approximately 6' high. On it would be evergreen trees planted 20' apart on center. The trees are to be staggered along the top of the berm. The species would be white spruce and colored fur, alternating.

C&S' storm water management facility is here. A fore-bay was shown to pre-treat the water. Grading was revised along the east side to make sure that we stay out of National Grid's property for the overhead lines. It is a stormwater closed system running through here to the fore-bay. After it reaches a certain level in the fore-bay it goes into the entire facility.

C&S did perk and deep hole tests to confirm that it could work as an infiltration basin. An existing culvert does show up on Sheet 1. Someone had put an old culvert back there originally. Basically, the drainage plan follows the natural drainage course that is out there.

Mr. Smith: Can you define proposed stabilized construction entrance? What type of material are we looking to put on those aprons?

Mr. Romans: The aprons will be asphalt when they are complete.

Mr. Smith: Is there someplace in here that says that it will be asphalt?

Mr. Romans: Sheet 4 has a legend. It shows that any proposed asphalt areas have hash marks through it. Those driveways are the actual construction entrances. When the site is complete, the end product will be two paved driveways for a distance of at least 100' and then heavy duty gravel for the interior road and light duty gravel for the plants, the stock piles, the mixer truck out side parking areas and the storage buildings here.

Sheets 6 and 7 are basic details. We wanted something to delineate the adjacent wetland area from the project site. We were concerned with the aggregate pile area so we are proposing a concrete barrier wall going along there. It would be like concrete blocks stacked next to each other.

Mr. Marzullo: Those are actually set in the ground nine inches, pretty permanent?

Mr. Romans: The blocks would be about 3' x 3' or like that. Page 6, C3 shows 9" in, 3'high. It would almost look like a jersey barrier. The only difference is that it is actually set into the ground. For the area along the roadway we propose the orange construction type fence. No activity is supposed to happen south of the roadway. Once that roadway is in we would still have that orange barrier just in case.

Mr. Smith: Are you talking about that plastic orange construction fence that you roll up?

Mr. Romans: Yes. That is only for this area here.

Mr. Smith: Isn't that going to be a maintenance nightmare?

Mr. Romans: It would probably be easier for them to do than any thing else.

Mr. Smith: The concrete barriers are great. I don't know how you are going to maintain that fence or any fence.

Mr. Marzullo: Is there a detail of that?

Mr. Romans explained the details.

Mr. Ruscitto: These are not the typical concrete barriers that I have seen at other places. These look like they are specifically made. How long are they?

Mr. Romans: Mr. Riccelli is hoping to build them himself. The reality is they are usually 8'-12' long.

Mr. Ruscitto: You are going to have them where all of the aggregate is so that it doesn't spill out onto the roadway or whatever. What if you had these spaced out, rather than the plastic orange fencing that does not hold up as well? I have seen construction sites where that can almost be a hazard.

Mr. Smith: It does not seem necessary. You have addressed our concerns with protecting the aggregate piles from getting into the wetlands. But, as you have said, you are not going to have any operations in that area. You even have this orange fence running around the stormwater. I don't think that we want to see plastic fencing up year round. I would prefer to see a more permanent fence or no fence at all.

Mr. Romans: We would probably prefer not to put a chain link fence or something like that up. We could make sure that the orange fencing is removed after construction. It would need to be up during construction.

Mr. Smith: That is reasonable, just not as a permanent feature.

Mr. Germain: We are talking about all temporary fencing being removed after construction.

Mr. Romans: That's perfect. I knew that the Board was concerned about the site's view driving down Northern Blvd. The last sheets show four different site views: as you are approaching from the south, from the north, and two views opposite the site. We show stock piles at a maximum height of 40'.

Mr. Smith: How tall is the plant itself?

Mr. Romans: The silo is the highest part. Typically the plant itself is a small building, but it does have conveyors that go to the silo. The silos are usually well above anything that is out there. Silo placement is partly dictated by the height of the silo.

More discussion occurred.

Mr. Abbey: How far back from Northern Blvd. are the silos?

Mr. Romans: 900'

Mr. Abbey: What is the existing vegetation on the north side of those silos?

Mr. Romans: Similar to what is in front of us here.

Mr. Abbey: So it is sizeable?

Mr. Romans: Yes.

Mr. Abbey: What did you decide on for colors of the silos? Blending into the natural landscape would be best, so that they don't stick out.

Mr. Romans: I think we can definitely do that. With new plants you can pick the color. Because these are portable plants, he might buy an existing one that could be blue, yellow, etc.

Mr. Smith: Would he be prepared to paint a yellow silo?

Mr. Riccelli: We would prefer to have it match the sky and be grey. In all of the ones that I have seen the ones that look the best are grey, maybe with blue lettering.

Mr. Smith: Can we condition the colors?

Mr. Germain: I think that he is offering that.

Mr. Romans: The color would be similar to the proposed buildings.

Mr. Riccelli: Blue, grey or earth tones.

Mr. Ruscitto noted some of the pictures submitted stating you don't want it like that. It would stick out like a sore thumb.

Mr. Abbey: The less conspicuous the better.

Mr. Smith: We have to ask because we have had people paint buildings bright yellow after we have approved them.

Mr. Riccelli agreed. It is important to us that it looks good. We want to be a stellar location in the community.

Mr. Romans: The last thing I should touch on is the email I got from Terry Morgan of the Onondaga County Department of Transportation. I had met with him September 9th with our plan. He said that they would allow the two access points where we show them. He has to verify the sight distance and mitigation that could be possible. In the right-of-way, which is exclusive of the trees and brush that we are keeping for the site plan, the concern is some trees and or brush would have to be removed. Our stuff, from the road property line into us, is maintained. The County would make us clear the right-of-way. That is typical of any County permit.

Mr. Smith: Can you talk about the landscaping that would be visible from the road? Are you

going to leave it field?

Mr. Romans: The only real landscaping proposed is around the sign. The wetland is adjacent to the area south of the south driveway and almost comes out to the road boundary. We were going to leave that natural. We were going to leave everything north of the north driveway and sign natural because a lot of that is bigger trees and brush. North of the property we have very little property. We were just going to make the cut in for utilities and that is it. Our intent is to leave as much as possible.

The area around the signs will be defined with some nice landscaping around it.

Mr. Marzullo: Is there any kind of lighting required on top of these?

Mr. Romans: Not unless you get up into a height where the FAA gets involved. Your own Code allows for a 60' building.

Mr. Marzullo: Is it common to put cell towers up on top of these things?

Mr. Romans: No because they are portable. They are on older facilities that are not meant to be moved.

Mr. Marzullo: How often do these things get moved to a job site? Is it a regular occurrence?

Mr. Romans: I don't think that it is in this area. Mr. Riccelli thinks it is really important that if the Route 81 project comes through he is in a good position to work right out of here. If he won the bid for a job for example out west, he would pull one of these plants out. They are mobile. That is what they are meant to do.

Mr. Marzullo: The last time we met there was some discussion about the cleanliness of the roads and washing trucks down on some part of the site.

Mr. Romans: That is one of the reasons that we have spigots out here and the washout for the truck interiors. Once the site is all graveled and up and running, there should not be dirt or mud or anything like that being tracked off site. The concrete trucks themselves should not

have anything flowing out of them. I think that a truck wash would be more important at plants, for example, that were almost in a field. So, we did not feel the need for an actual truck wash.

Mr. Marzullo asked if that was regulated---if a contractor is hauling mud out onto the road you would have the authority to stop that.

Mr. Procopio: We would or the DEC would.

The Chairman asked if there were any other questions.

Mr. Procopio: I'm going to want to review the building Code regarding building permit issuance relative to a site not being served with public water and the requirements for available water for fire suppression. There is not going to be a hydrant here.

Mr. Romans: That is if he goes to a well.

Mr. Procopio: Right, so we are going to have to look at any exceptions or alternatives that might be available in the building Code if you don't have public water.

Mr. Romans: That is another thing Mr. Riccelli has to weigh as far as public water versus well water.

Mr. Parrish: If the Board is going to consider approval tonight, I ask that you would condition it upon a final review of the stormwater by our office. We do need to sign off on the acceptance for the SWPPP. We would not do that until we are happy with the stormwater, but I would ask that you put that into your approval if you consider it tonight.

Mr. Germain: What is the date of the last revision so that I can make sure everyone is on the same page?

Mr. Romans: 11/6/2013

Mr. Germain: Is that what you are looking at?

Various Board members responded yes.

Mr. Ruscitto: It seems like he addressed everything. I think that it is a great use for the area. I hope it ends up being a permanent fixture more so than a mobile one.

Mr. Abbey: He has covered quite a bit tonight. I look forward to doing nice projects like this on Northern Blvd along with other good things to come.

Mr. Honors: You are clear on the temporary lighting issue? If you have a project that is only going to last two weeks, we don't need to have the area lit up. It would have to come back in before this Board before that project starts.

Mr. Romans: Yes. I picture us working on a lighting plan that would hopefully fit anything. and coming back in so that we would have that in place.

Mr. Smith: Just so we are clear, we are approving a lighting plan for this site. And that is what the applicant is using unless there is a request to change. And that would have to come to us.

Mr. Romans: Right.

Mr. Smith: We are taking all references to temporary lighting out. That is a good point. We are approving it as presented and that is what it has to operate as.

Mr. Marzullo: Should that include night use? They could be operating after dark.

Mr. Germain: They are not going to have any temporary lighting.

Mr. Romans: We do have wall packs on the building. I can see trucks coming in and cleaning out at the end of the day. It could be dusk. There are times of year when it starts to get dark at 5:30. We will live by that lighting until we get the plan revised and in.

Mr. Honors: I just want to make sure you understand what is getting approved.

Mr. Ruscitto made a motion regarding SEQR. He read: Be it further resolved that the Planning Board of the Town of Cicero hereby determines that the proposed action will not have a significant effect on the environment. And that this resolution shall constitute a negative declaration for the purposes of Article 8 of the Environmental Conservation Law of the State of New York. **Chairman Smith seconded the motion** and called a vote.

In favor: 5 *Opposed:* 0 *Abstained:* 0 **approved unanimously**

Mr. Smith: Mr. Germain, I'm sure you have reviewed the County's referral.

Mr. Germain responded yes.

Mr. Smith: We have addressed most of those issues. With that in mind I would like to offer up an approval. Could you please word it with all of the conditions?

Mr. Germain: **You would move** for the adoption of a resolution approving the site plan application known as Riccelli Enterprises, LLC Northern Blvd., tax map numbers 055.-02-19.3, 25.0 and 26.1 for a proposed ready mix facility last dated November 6, 2013. This approval is contingent on the following:

1. The applicant will combine the three parcels associated with the site plan into a single tax map parcel via the subdivision process. This shall be completed prior to the issuance of a certificate of occupancy by the Town.
2. The applicant shall obtain any and all necessary municipal approvals regarding the proposed use of the holding tank for sanitary sewage disposal. Proof the approval shall be presented to the Codes Department prior to the issuance of a certificate of occupancy by the Town.
3. There will be no temporary lighting on the site and the note on the plan indicating the use of temporary lighting shall be removed from the plan and is deemed to be null and void.
4. All temporary fencing shall be removed upon substantial completion of the plan.
5. The silos will be blue, grey or earth tone. There will be no bright or fluorescent colors used on the silos. They will be maintained in such a way as to blend into the existing environment.
6. The approval is contingent upon the final review and approval of the stormwater management plan by the Planning Board's engineers.

Mr. Smith made the motion as presented by Mr. Germain above. **Mr. Ruscitto seconded the motion.** The Chairman asked the Board to vote.

In favor: 5 *Opposed:* 0 *Abstained:* 0 **approved unanimously**

Chairman Smith made a motion to adjourn. **Mr. Honors seconded the motion.** The motion was **approved** unanimously.

IN AS MUCH AS THERE WAS NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 8:15 P.M.

Submitted by:
Tonia Mosley, Planning Board Clerk